



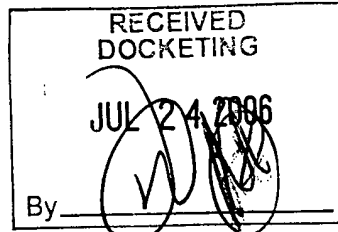
RECEIVED

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

17 JUL 2006 2006 JUL 24 AM 10:05

Eric D. Cohen
Welsh & Katz, Ltd.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606

WELSH & KATZ, LTD



In re Application of
BISIULES, et al.
Application No.: 10/529,677
PCT No.: PCT/US03/36256
Int. Filing Date: 13 November 2003
Priority Date: 13 December 2002
Attorney Docket No.: 90959US
For: IMPROVEMENTS RELATING TO DIPOLE
ANTENNAS AND COAXIAL TO MICRO-
STRIP TRANSITIONS

DECISION ON

REQUEST UNDER

37 CFR 1.497(d)

This decision is in response to applicant's "Petition Pursuant to 37 C.F.R. §1.497(d) to Add a Joint Inventor" filed 28 February 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 13 November 2003, applicant filed international application PCT/US03/36256, which claimed priority of an earlier application filed 13 December 2002. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States was set to expire at midnight on 13 June 2005.

On 29 March 2005, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a First Preliminary Amendment and un-executed declaration.

On 30 December 2005, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a).

On 28 February 2006, applicant filed the present petition to add Ching-Shun Yang as an inventor in the above-identified application.

DISCUSSION

37 CFR 1.497(d) [formally, 37 CFR 1.48] states in part: "If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application....applicant must submit:

- (1) a petition including a statement from each person being added or deleted as an inventor that the error in inventorship occurred without any deceptive intention on his or her part;
- (2) an oath or declaration by the actual inventor(s) as required by 37 CFR 1.63;
- (3) the fee set forth in 37 CFR 1.17(I); and
- (4) if an assignment has been executed by any of the original named inventors, the written consent of the assignee in compliance with 37 CFR 3.73(b).

Applicant has satisfied items (1)-(3).

As to Item (4), applicant has not provided a statement granting the consent of the assignee. Assignee is required to establish its ownership in accordance with 37 CFR 3.73 (See MPEP 201.03 and 324).

In light of the above, it is not possible to grant applicant's petition at this time.

CONCLUSION

For the reasons above, applicant's request under 37 CFR 1.497(d) is **DISMISSED** without prejudice.

Applicant is hereby afforded **TWO (2) MONTHS** from the mail date of this decision to file any request for reconsideration. Any reconsideration request should include a cover letter entitled, "Renewed Petition Under 37 CFR 1.497(d)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen', with a stylized, cursive script.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459

Certificate of Mailing by "Express Mail" (37 CFR 1.10)

Applicant(s): Bisiules et al.

Docket no. 90959US

Application No. 10/529,677	Filing Date: March 29, 2005	Examiner: To be assigned	Customer No. 24628	Group Art Unit: To be assigned
-------------------------------	--------------------------------	-----------------------------	-----------------------	-----------------------------------

Invention: Improvements Relating to Dipole Antennas and Coaxial to Microstrip Transitions

I hereby certify that the following correspondence:

Express Mail Label EV 592964302 US and Copy of Decision on Request under 37 CFR 1.497(d), Renewed Petition under 37 CFR 1.497(d), Copy of Return Receipt Postcard mailed 02.24.06 and items stated thereon stamped received 02.28.06, copy of the Certificate of Mailing dated 02.24.06, copy of Certificate under 37 CFR 3.73(b), Notice of Recordation of Assignment, executed Declaration and Powers of Attorney (4), and a return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on August 2, 2006.

(Date)

Carl Stanley

(Typed or Printed Name of Person Mailing Correspondence)



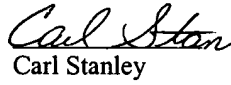
(Signature of Person Mailing Correspondence)

EV 592964302 US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
Bisiules et al.	)	<u>CERTIFICATE OF MAILING</u>
Serial No.: 10/529,677	)	I hereby certify that this paper is being
Conf. No. 8431	)	deposited with the United States Postal
Filed: March 29, 2005	)	Service as Express Mail No. EV
For: Improvements Relating to Dipole	)	592964302 US in an envelope
Antennas and Coaxial to Microstrip	)	addressed to: Mail Stop PCT,
Transitions	)	Commissioner for Patents, P.O. Box
Examiner: To be assigned	)	1450, Alexandria, Virginia 22313-
Art Unit: To be assigned	)	1450, on this date.
	)	<u>08.02.06</u>
	)	Date
)	
	)	Carl Stanley

RENEWED PETITION UNDER 37 CFR 1.497(d)

MAIL STOP PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Dear Sir:

We received a Decision on Request under 37 C.F.R. 1.497(d) dated July 17, 2006 denying applicants' Petition to Add a Joint Inventor. That Petition was denied because the office indicated that the assignees consent under 37 CFR 3.73 was not included with the papers, as set forth in the Decision, enclosed herewith for your convenience.

Note however, that applicants submit that a certificate under 37 CFR 3.73(b) was submitted along with the filing of the Petition and completion of Missing Parts on February 24, 2006. In that regard, included herewith as proof of submission is the following:

1. Copy of Postcard dated February 24, 2006 and stamped on February 28, 2006 by the OIPE indicating that the certificate under 37 CFR 3.73(b) was enclosed.

2. Certificate of First Class Mailing submitted as part of the Petition and completion of Missing Parts, dated February 24, 2006, indicating the same


3. A copy of the certificate under 37 CFR 3.73(b) originally submitted with the completion of Missing Parts. Note that the certificate was executed on February 13, 2006 by an officer of the assignee corporation.

Accordingly, please reconsider the Petition pursuant to 37 CFR 1.497(d), as applicant has submitted a response within the two month time period set forth by the Decision. Additionally, applicant encloses a copy of 4 counterpart Declarations and Powers of Attorney which in sum contain all of the six co-inventors signatures, including the signature of the inventor under the petition to add, and a copy of the Notice of Recordation of Assignment.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

WELSH & KATZ, LTD.

By 
Eric D. Cohen
Registration No. 38,110

August 2, 2006

WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500

In Re Patent Application of Bisiules et al.
Title: Improvements Relating To Dipole Antennas And
Coaxial To Microstrip Transitions

Serial No.: 10/529,677

Filed: March 29, 2005

EDC/zw

File No. 7836-90959US

Mailed: February 24, 2006

Certificate of Mailing by First Class Mail (37 CFR 1.8); Notification Of Missing Requirements Under 35 U.S.C. 371 In The (DO/EO/US); Response To Notice To File Missing Parts Of Application Filing Date Granted (Large Entity); Executed ~~Declarations and Powers of Attorney~~ (4 counterparts); Executed Assignments (4 counterparts); Certificate Under 37 C.F.R. 3.73(b); Petition Pursuant to 37 C.F.R. §1.497(d) To Add A Joint Inventor; Two Checks In The Amounts of \$130.00 each; and Postcard.



Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir: Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.

Respectfully submitted,
WELSH & KATZ, LTD.

IAP6 Rec'd PCT/PTO 28 FEB 2006



CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): Bisiules et al.

Docket No.

90959US

Application No.

10/529,677

Filing Date

March 29, 2005

Examiner

To Be Assigned

Customer No.

24628

Group Art Unit

To Be Assigned

Invention: Improvements Relating To Dipole Antennas And Coaxial To Microstrip Transition

I hereby certify that this Response To File Missing Parts Of Application

(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope

addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

February 24, 2006

(Date)

Eric D. Cohen, Registration No. 38,110

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

Notification Of Missing Requirements Under 35 U.S.C. 371 In The (DO/EO/US); Response To Notice To File Missing Parts Of Application Filing Date Granted (Large Entity); Executed Declarations and Powers of Attorney (4 counterparts); Executed Assignments (4 counterparts); Certificate Under 37 C.F.R. 3.73(b); Petition Pursuant to 37 C.F.R. §1.497(d) To Add A Joint Inventor; Two Checks In The Amounts of \$130.00 each; and Postcard.

90959US

CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Applicants: Peter John Bisiules, John Coult, Ching-Shun Yang, Joselito de la Cruz Gavilan,
Gang Yi Deng and John Stewart Wilson

Application No.: 10/529,677 Filed: March 29, 2005

Entitled: Improvements Relating To Dipole Antennas And Coaxial To Microstrip Transition

Andrew Corporation a corporation
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government, agency, etc.)

certifies that it is the assignee of the entire right, title, and interest in the patent application identified above by the virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

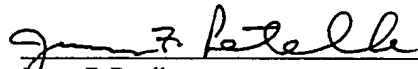
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

13 Feb. , 2006
Date


James F. Petelle
Vice President, Law and Secretary
Andrew Corporation